

DEVELOPMENT ASSESSMENT UNIT
Minutes of the Development Assessment Unit
Shire of Augusta Margaret River
On 28 February 2017

ATTENDANCE

Chris Wenman, Johan Pienaar, Kim Nolan, Angela Satre, Lauren Bidesi

PLANNING APPLICATIONS RECEIVED

Date Rec'd	Assess No.	Address	Proposal	DA No.
20/02/2017	A7121	88 (Lot 212) Wooditch Road, Margaret River	Holiday House (Large)	P217128
20/02/2017	A4365	82 (Lot 1721 / Reserve 22636) Bussell Highway, Cowaramup	Signage for Cowaramup Lions Shed	P217129
20/02/2017	A8412	577 (Lot 6) Tea Tree Link, Margaret River	Bed & Breakfast	P217130
21/02/2017	A11851	6 (Lot 17) Hogan Place, Witchcliffe	Dwelling, Ancillary Dwelling and Water Tanks	P217131
22/02/2017	A10493	19 (lot 421) Pimelia Drive, Margaret River	Dwelling	P217133
22/02/2017	A6558	4/10 (Lot 8) Town View Terrace, Margaret River	Holiday House	P217134
22/02/2017	A832	805 (Lot 3) Redgate Road, Witchcliffe	Holiday House (Large)	P217135
22/02/2017	A10817	131 (Lot 50) Ashton Street, Margaret River	Dwelling Additions (Shed)	P217137
23/02/2017	A7743	413 (Lot 12) Burnside Road, Burnside	Agriculture Extensive – Retrospective Approval for Dam and Earth Bunds	P217138
23/02/2017	A4874	75 (Lot 40) Ironstone Place, Margaret River	Holiday House (Large)	P217139
24/02/2017	A2013	42 (Lot 7) Elva Street, Margaret River	Guest House	P217140
24/02/2017	A2200	73 (Lot 5) Bussell Highway, Margaret River	Amendment to Planning Approval P216167 for Small Bar	P217141
24/02/2017	A3899	Nippers Oval Reserve	Local Law Permit - Outdoor Fitness Classes	P217142
23/02/2017	Nil	Various locations around Margaret River Townsite	Local Law Permit - Evening Walking Tour	P217144

BUILDING LICENCE APPLICATIONS RECEIVED

Date Rec'd	Assess No.	Address	Proposal	BLDG No.
23/02/2017	A12187	8 (Lot 4) Brookside Boulevard, Cowaramup	Shed	217086
23/02/2017	A8955	3 (Lot 226) Hakea Crescent, Margaret River	Unauthorised Work - Patio & Deck	217087
21/02/2017	A10476	9 (Lot 404) Tamarix Crescent, Margaret River	Single Dwelling	217085
20/02/2017	A9714	15 (Lot 332) Dryandra Drive, Margaret River	Single Dwelling	217077
20/02/2017	A12009	11 (Lot 20) Tipuana Terrace, Margaret River	Single Dwelling	217078
20/02/2017	A12078	Lot 198 McDermott Parade, Witchcliffe	Single Dwelling	217079
20/02/2017	A12010	13 (Lot 21) Tipuana Terrace, Margaret River	Single Dwelling	217080
20/02/2017	A12061	Lot 64 Coracina Avenue, Witchcliffe	Single Dwelling	217081
20/02/2017	A12361 A5956	Lot 1052 Rosa Brook Road, Rosa Brook	Single Dwelling	217082
20/02/2017	A3785	23 (Lot 42) Ryans Road, Margaret River	Ancillary Accommodation	217083
20/02/2017	A1406	2 Dahlberg Street, Augusta	Shed additions	217084

SUBDIVISIONS DETERMINED

Date Rec'd	Officer	DA No.	Address	Description of Matter	Recommendation

LEVEL 1 APPLICATIONS determined under delegation

Date Rec'd	Officer	Address	Proposal	Outcome	DA No.
24/11/2016	Angela Satre	Unit 1 28 (Strata Lot 1 of Lot 182) Auger Way, Margaret River	Compliance - Habitation of Industrial Shed	Matter Concluded	P216660

01/12/2016	Lara Hoole	30 (Lot 6) Georgette Way, Prevelly	Holiday House	Approved	P216684
06/12/2016	Matt Slocomb	8 (Lot 222) Marmaduke Point Drive, Gnarabup	Holiday House	Approved	P216708
06/12/2016	Matt Slocomb	178 (Lot 71) Colyer Drive, Hamelin Bay	Holiday House	Approved	P216709
07/12/2016	Matt Slocomb	665 (Lot 18) Wallcliffe Road, Margaret River	Holiday House	Approved	P216712
08/12/2016	Matt Slocomb	43 (Lot 165) Marmaduke Point Drive, Gnarabup	Holiday House (Large)	Approved	P216717
08/12/2016	Angela Satre	19 (Lot 12) St Alouarn Place, Prevelly	Holiday House (Large)	Approved	P216720
09/12/2016	Matt Slocomb	39 (Lot 27) Widderson Place, Margaret River	Holiday House	Approved	P216724
16/12/2016	Johan Pienaar	20 (Lot 15) Merchant Street, Margaret River	Bed and Breakfast	Confirmation - no longer operating	P216753
03/01/2017	Lucy Gouws	16 (Lot 5) Stewart Street, Margaret River	Holiday House x 3	Approved	P217000
09/01/2017	Lucy Gouws	59/141 (Lot 8) Glengarry Road, Margaret River	Ancillary Dwelling	Approved	P217025
13/01/2017	Lara Hoole	5 (Lot 6) Brookside Boulevard, Cowaramup	Display Home	Approved	P217032
13/01/2017	Jared Drummond	66 (Lot 10) Devon Drive, Margaret River	Dwelling Additions and Defining Building Envelope	Approved	P217033
13/02/2017	Lara Hoole	43 (Lot 53) Mitchell Drive Prevelly	Section 40	Approved	P217108

LEVEL 2 APPLICATIONS for determination under delegation

Date Rec'd	Officer	Address	Proposal	Outcome of DAU Meeting	DA No.
16/08/2016	AS	Lot 83 Elizabeth Street, Margaret River	Dwelling additions (Shed)	Refuse	P216431

LOCAL LAW PERMITS

Date Rec'd	Officer	Address	Proposal	Outcome	DA No.
17/02/2017	Ian McLeod	Ellis Street Jetty area Reserve 37811, Augusta	Permit Renewal - Augusta Boat Hire	Approved	P217136

OTHER APPLICATIONS determined under delegation

Date Rec'd	Officer	Address	Proposal	Outcome	DA No.

COMPLIANCE

Date Rec'd	Officer	Address	Proposal	Outcome	DA No.

ELECTED MEMBERS ATTENTION

Date Rec'd	Officer	Address	Proposal	Outcome of DAU Meeting	DA No.

CLOSURE OF MEETING



DEVELOPMENT APPLICATION ASSESSMENT (DAU)
Report to Manager Planning and Development Services

**Proposed Dwelling Additions (Outbuilding) at 11 (Lot 83) Elizabeth Street
Margaret River**

Major (Level 2)

P216431; PTY/4371

REPORTING OFFICER : Angela Satre
DISCLOSURE OF INTEREST : Nil

General Information	
Lot Area	1011m2
Zone	Composite Industry (R10)
Proposed Development	Outbuilding for domestic storage as follows: <ul style="list-style-type: none">• 60m2 floor area;• In the front setback area;• Setback 4m from the front boundary• 5.52m ridge height; &• 5m wall height.
Permissible Use Class	'P' permitted with planning approval
Heritage/Aboriginal Sites	n/a
Encumbrance	Nil
Date Received	16/08/2016





Policy Requirements		
Is the land or proposal referred to in any Council Policy? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
If yes, state the Policy/Policies	<i>Local Planning Policy 1 Outbuildings , Farm Buildings & Swimming Pools (LPP1)</i>	
Officer Comment	LPP1 does not apply to the Composite Industry zone.	
Structure Plans and Local Development Plans (DAP)		
Is the land in any Structure Plan Area or subject to a DAP? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Advertising/Agency Referrals		
Has the application been referred to adjoining landowners/agency?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
Has a submission been received by Council?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A No. received: <u>2</u>	
Have agency or authority comments been received?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
Name	Nature of Submission	Officer Comment
Nearby land owner	Objection – the development is too high & too close to the road. It will change the natural look of the street.	Noted – for these reasons the proposal is recommended for refusal.
Nearby land owner	Concern that the shed would be used for accommodation. Object to the size of the shed. It is too big and will have a visual impact on the street. I object to the windows and potential overlooking. Why can't the shed be built in the back garden?	Noted
Has the application been referred to internal departments?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
Assessment of Application		
Is the land referred in the Heritage Inventory?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Are there any Contributions applicable?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there any compliance issues in relation to existing development?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
R Codes			
Are R Codes applicable? As specified at LPS1 clause 4.28 (b), 'single residential development shall accord with the requirements of the relevant R Code...' Therefore the provisions of the Rcodes, namely clause 5.4.3, apply to the proposal.		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Clause 5.4.3 Outbuildings	<p>Although the site is zoned Composite Industry, as provided at LPS1 clause 4.28, the development is required to be assessed against the provisions of the Rcodes. The proposal involves a variation to the Rcodes 4.2m ridge height guideline for sheds in the Residential zone and a variation to the Rcodes requirement for sheds to be located behind the primary street setback area.</p> <p>When assessed against the relevant performance criteria the proposal is unacceptable due to the following:</p> <ul style="list-style-type: none"> a) The proposed two storey shed, setback 4m from the front boundary and forward of the house, will be averse to the Elizabeth Street streetscape which is largely open and uninterrupted. b) The proposed shed in the front setback area will also be adverse to the visual amenity of residences in the neighbourhood. c) The outbuilding is proposed to be constructed of galvanised steel which is inconsistent with the building materials used on dwellings fronting Elizabeth Street and in this regard the proposal will have an adverse impact to the landscape and or amenity of the surrounding area. <p>Accordingly the proposal does not meet the performance criteria standards under Rcodes clause 5.4.3.</p>		
Development Standards (Schedule 9)			
Are the development Standards applicable?		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<p>The proposal for the shed, setback 4m from the front boundary, involves a variation to the 10m front setback specified under Schedule 9 of LPS1. The variation is considered unacceptable due to the following:</p> <ul style="list-style-type: none"> a) With a 4m front setback and a 5m wall height, the outbuilding would have an unacceptable adverse impact to the streetscape. b) The proposed two storey outbuilding in the front setback area would be inconsistent with the scale and form of development in the fronting Elizabeth Street. The Elizabeth Street frontage is developed with habitable buildings (dwellings) and the streetscape is largely open and uninterrupted. The proposed two storey outbuilding in the front setback area would be inconsistent with the scale of residential development fronting Elizabeth Street. c) Given the opportunity that is provided for access to the rear of the site and the potential for an outbuilding to be developed and accessed behind the dwelling, the location of the outbuilding in the front setback area and forward of the house conflicts with the development standards under Schedule 9 of LPS1. 			
Building Height			
Scheme Requirement		Wall - 7m	Roof - 8m
State the proposed building height	Wall - 5m Roof - 5.5m	<input checked="" type="checkbox"/> Complies	<input type="checkbox"/> Doesn't Comply
Clause 67			
A. In the opinion of the officer, would approval of the planning consent be appropriate under Clause 67 of the Deemed Provisions of the Scheme?			
Officer Comment	No – the importance of locating the outbuilding at the rear of the dwelling, as opposed to the front setback area, is reiterate at LPS1 clause 4.28 (e), which seeks to ensure that in the Composite Industry zone industrial land uses are located at the rear of the residential dwelling. It is considered that the need to locate the outbuilding at the rear of the dwelling is akin to this requirement and in this regard the proposal for the outbuilding in the front setback area is unacceptable.		
A. In the opinion of the officer:			
i. Are utility services available and adequate for the development?		n/a	

ii. Has adequate provision been made for the landscaping and protection for any trees or other vegetation on the land?	n/a
iii. Has adequate provision been made for access for the development or facilities by disabled persons?	n/a
iv. Is development likely to cause detriment to the existing and likely future amenity of the neighbourhood?	Yes the proposal will be detrimental to the streetscape as discussed above.
v. Is the development likely to comply with AS3959 at the building permit stage?	n/a
Other Comments	
Any further comments in relation to the application?	
Officer Comment	The proposal fails to address the matters to be considered under LPS1 and is recommended for refusal.

OFFICER RECOMMENDATION

That the Statutory Planning Coordinator REFUSES TO GRANT Planning Consent under Delegated Authority Instrument No. 16 pursuant to Clause 68(2) of the Deemed Provisions of Local Planning Scheme No. 1 for Dwelling Additions (Outbuilding) at 11 (Lot 83) Elizabeth Street Margaret River for the following reasons:

REASONS FOR REFUSAL

1. The proposal is unacceptable having regard to the matters to which the local government is required to consider pursuant to *Local Planning Scheme No. 1* (the Scheme) clause 67 Deemed Provisions and with reference to the following specific subclauses:
 - (a) The location of the outbuilding in the front setback area, forward of the dwelling and 4m from the front boundary is a significant variation to the provisions of the Scheme at Schedule 9 – Development Standards which specifies a front street setback of 10m. The variation is unacceptable given the opportunity provided for access from the lane way to the rear of the site and the potential for an outbuilding to be developed and accessed behind the dwelling.
 - (b) The outbuilding is proposed to be located 4m from the front boundary and with a proposed 5m wall height and therefore would not be able to be screened from view of the street. The proposal is inconsistent with the orderly and proper planning of the locality with regard to the development of outbuildings in the front setback area and the adverse impact developments of this nature would have to the streetscape and amenity of the area.
 - (c) The Elizabeth Street frontage is developed with habitable buildings (dwellings) and the streetscape is largely open and uninterrupted. The proposed two storey outbuilding in the front setback area is inconsistent with the scale and nature of residential development fronting Elizabeth Street. Furthermore, the outbuilding is proposed to be constructed using galvanised steel which is inconsistent with the building materials used on development fronting Elizabeth Street. In this regard the proposal will be adverse to the landscape and amenity of the surrounding area.
 - (d) The proposal for a non-habitable building in the front setback area would be adverse to streetscape interaction and to the existing and future residential character of the street.